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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,098	11/20/2003	Scott L. Orton	11119RRUS02C	9429
35527	7590	02/19/2008	EXAMINER	
DUKE W. YEE			WANG, LIANG CHE A	
YEE & ASSOCIATES, P.C.			ART UNIT	PAPER NUMBER
P.O. BOX 802333			2153	
DALLAS, TX 75380				
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			02/19/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

mr

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/718,098	ORTON ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Liang-che Alex Wang	2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 January 2008.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10, 61, 62 and 64-70 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 10, 61, 62 and 64-70 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/20/2003</u>  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 10, 61- 62, 64 -70 are presented for examination.
2. Claims 1-9 are withdrawn, and claims 11-60, 63, 71-75 are cancelled.

#### ***Paper Submitted***

3. It is hereby acknowledged that the following papers have been received and placed of record in the file:
  - a. **Information Disclosure Statements** as received on 11/20/2003 is considered.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 61- 62, 64 -70 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 61 recites the limitation "the message" in the claim, however, the limitation of "a message" and "an outgoing message" are defined in the claim, it is not clear whether "the message" refers to "a message" or "an outgoing message" alone, or refers to both "a message" and "an outgoing message".
7. Claims 64 recites the limitation "modifies the outgoing message by adding the message routing information to the message" is conflicting with the limitation recited in claim 61

"wherein the message modifier modifies the message by removing the message routing information from the message".

8. All dependent claims are rejected to as having the same deficiencies as the claims they depend from.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
10. Claims 10, 61-62, 64-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orton, US Patent Number 6,438,555, hereinafter Orton, and in views of Chuah et al., US Patent Number 6,735,190, hereinafter Chuah.
11. Referring to claim 10, Orton teaches a method for communicating a message, comprising the steps of:
  - a. receiving the message, wherein the message is in a text based communications protocol (Col 6 lines 11-13, SIP message are received, and wherein the SIP message is a text based communication protocol);
  - b. determining session context information associated with the message, the session context information including message routing information (Col 5 lines 35-41,

header is parsed and stored, and wherein header includes routing information comprises destination location);

- c. storing the message routing information, wherein the stored message routing information is used when sending a response signal (Col 2 lines 17-23, header with routing information is stored, wherein the routing information is used for sending message);

Orton does not explicitly teach modifying the message based on the message routing information, and wherein modifying comprises removing the message routing information from the message; and forwarding the modified message.

Chuah teaches modifying the message based on the message routing information and wherein modifying comprises removing the message routing information from the message (Col 2 lines 26-32); and forwarding the modified message (Col 2 lines 18-25).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have the modifier that removes the header of the message of Orton as taught by Chuah because both Chuah and Orton teach communicating messages from one node to another node in a data communication network.

A person with ordinary skill in the art would have been motivated to make the modification to Orton because having the header being removed would reduce overhead in a corresponding beneficial increase in packet transport efficiency as taught by Chuah (Col 2 lines 8-11).

12. Referring to claim 61, claim 61 encompasses a similar scope of the invention as that of the claim 10. Therefore, claim 61 is rejected on the same ground as the claim 10.
13. Referring to claim 62, Orton as modified teaches the data processing system of claim 61, wherein the message routing information includes at least one of a via header, a route header and a record route header (Col 5 lines 35-40).
14. Referring to claim 64, Orton as modified teaches the data processing system of claim 61, wherein the message modifier modifies the outgoing message by adding the message routing information to the message (Col 2 lines 17-19).
15. Referring to claim 65, Orton as modified teaches the data processing system of claim 64, wherein the message is received from a server (Col 1 lines 57-59).
16. Referring to claim 66, Orton as modified teaches the data processing system of claim 64, wherein the message is received from a client application (Col 1 lines 57-59).
17. Referring to claim 67, Orton as modified teaches the data processing system of claim 61, wherein the client manager receives a client application message from a client application and converts the client application message into the message, wherein the message is a simplified SIP message (Chuah, Col 2 lines 26-33, when the header of the SIP message is removed, the SIP message is a simplified SIP message).
18. Referring to claim 68, Orton as modified teaches the data processing system of claim 67, wherein the simplified SIP message does not include the message routing information (Chuah Col 2 lines 26-33).

19. Referring to claim 69, Orton as modified teaches the data processing system of claim 67, wherein the message modifier modifies the outgoing message by adding at least one of a "Via" header, a "Route" header, and a "Record Route" header to the outgoing message (Col 2 lines 17-19).
20. Referring to claim 70, Orton as modified teaches the data processing system of claim 61, wherein the client manager includes an input/output controller for receiving the message and a decoder for decoding the message (Figure 2).

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

24. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang  
February 5, 2008

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